

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Social Services	(2) MEETING DATE 12/15/2015	(3) CONTACT/PHONE Lee Collins 805-781-1825	
(4) SUBJECT Submittal of a resolution amending the Position Allocation List for Fund Center (FC) 180 – Social Services Administration to add 14.00 FTE positions and eliminate a 0.75 FTE position in various classifications to support implementation of changes to various programs as directed by State and Federal legislation; and request to authorize an associated budget adjustment in the amount of \$1,593,208 to increase expenditure appropriations to cover the cost of these positions and for participant services. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Adopt a resolution amending the Fund Center 180-Department of Social Services Position Allocation List to add 14.0 FTE positions and eliminate a 0.75 FTE position; and 2. Authorize an associated budget adjustment in the amount of \$1,593,208 for FC 180- Social Services from State and Federal sources to increase expenditure appropriations to cover the cost of these positions and for participant services by 4/5 vote. 			
(6) FUNDING SOURCE(S) Federal, State and County	(7) CURRENT YEAR FINANCIAL IMPACT \$1,593,208 (County share= \$95,292)	(8) ANNUAL FINANCIAL IMPACT \$1,851,185 (County share= \$190,584)	(9) BUDGETED? No
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: 1516052 <input checked="" type="checkbox"/> 4/5 Vote Required <input type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Morgan Torell			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Social Services / Lee Collins
805-781-1825

DATE: 12/15/2015

SUBJECT: Submittal of a resolution amending the Position Allocation List for Fund Center (FC) 180 – Social Services Administration to add 14.00 FTE positions and eliminate a 0.75 FTE position in various classifications to support implementation of changes to various programs as directed by State and Federal legislation; and request to authorize an associated budget adjustment in the amount of \$1,593,208 to increase expenditure appropriations to cover the cost of these positions and for participant services. All Districts.

RECOMMENDATION

It is recommended that the Board:

1. Adopt a resolution amending the Fund Center 180-Department of Social Services Position Allocation List to add 14.0 FTE positions and eliminate a 0.75 FTE position; and
2. Authorize an associated budget adjustment in the amount of \$1,593,208 for FC 180- Social Services from State and Federal sources to increase expenditure appropriations to cover the cost of these positions and for participant services by 4/5 vote.

DISCUSSION

The Department of Social Services (DSS) is required to implement changes as directed by the State of California as its programs' supervising entity, in accordance with changes in State and Federal legislation. Those changes, impacting the In Home Supportive Services Program, are outlined below. Additionally, DSS seeks to: utilize its increased State allocations to add positions in its Participant Services Division, replace a 0.75 Full-Time Equivalent (FTE) Social Worker position with a 1.0 FTE Social Worker position (a 0.25 FTE increase), and increase the expenditure appropriation for services and support to participants' accounts.

In Home Supportive Services: Public Authority

The In Home Supportive Services (IHSS) program provides services to disabled individuals in their own homes. To be eligible, an individual must meet financial requirements and also must have a medical certification that confirms that, in the absence of those services, he or she would require institutionalization. The role of DSS is to assess eligibility, determine the kinds of services required and authorize the hours of care needed to meet the individual's needs. Services to be provided include both domestic services—including for example shopping, cooking, house cleaning and laundry—and personal services, including bowel and bladder care and bathing. These services may be provided by family members, including for example the spouse or adult child of the program participant. They also may be provided by independent providers or, in emergency situations, by DSS staff. These DSS staff, classified as Personal Care Aides, typically are called upon when an individual's permanent provider is ill or otherwise unavailable.

Independent providers may include neighbors or friends, but also include private providers who are employed specifically in this field. The County of San Luis Obispo, acting as the Public Authority (PA), is the "employer of record" for all providers and—with the exception of the DSS Personal Care Aides—these providers are represented by the United

Domestic Workers of America (UDWA), with which the Public Authority negotiates wages and working conditions.

Through August 2015, the average number of individuals receiving IHSS services in San Luis Obispo County was 1,821, an increase of 4.3% over the average monthly caseload in FY 2014/15.

Recent changes in Federal law impact the private providers of IHSS services. These private caregivers had been exempt from Federal overtime laws, and were not compensated for either travel time or waiting time when accompanying program participants to medical appointments. Effective February 1, 2016, however, caregivers must be compensated both for overtime and for those other activities and, in order to minimize the cost impact of those changes, major changes must be implemented by the Public Authority and by the IHSS Program.

Providers now may not work more than 66 hours per week, and will be compensated for overtime in excess of 40 hours per week. There was previously no cap in the number of hours that providers could work. Those who work in excess of the maximum number of hours will be subject to graduated sanctions that include warning notices, mandated training, suspensions and ultimately termination from the provider rolls. The Social Work staff in both the Public Authority and IHSS units will be heavily impacted by the need to train participants and providers, to monitor compliance, to follow up on violations, to impose sanctions and to process appeals of sanctions.

Because additional providers must be recruited to fill the gap associated with the limitation on hours, Public Authority Registry staff will need to increase activities associated with the recruitment, interviewing, hiring and training of new providers, as well as the often challenging task of matching providers to program participants (participants retain the authority to “hire” and “fire” providers at will). DSS also projects a need for additional Personal Care Aide staff to fill these hour gaps on an emergency basis, as many more situations are likely to arise due to the combination of additional authorized services (transportation and waiting time at medical appointments, as described above) and restrictions on allowable hours to be worked per week.

Current staffing in the Public Authority includes only 1.0 Social Work Supervisor, 1.0 Social Worker, 1.0 Administrative Assistant, and 3.0 Personal Care Aides. This staffing level needs to be augmented to meet new demands, and DSS proposes to add the following:

- 1.0 FTE Social Worker I/II/III (SW)
- 1.0 FTE Administrative Assistant I/II/III (AA)
- 3.0 FTE Personal Care Aides (PCA)
- 1.0 FTE Program Review Specialist (PRS)

The Social Work and Administrative Assistant staff is needed to perform the additional recruitment, monitoring and record-keeping duties described above. The Personal Care Aides are proposed to increase by 3.0 FTE in order to provide the necessary services that will help to ensure the safety and well-being of the disabled participants in this program. The Program Review Specialist provides the program support to ensure that the law, regulations, policies and protocols are implemented and monitored, ensuring that the County and the IHSS program are operating within all new legal parameters.

Participant Services

The Participant Services Division—the largest within DSS—includes Employment Resource Specialists (ERS) and their Supervisors and support staff who manage public assistance caseloads in the CalWORKS, CalFresh and Medi-Cal programs, as well as in smaller programs that include General Assistance, Foster Care Eligibility and the Housing Support Program. Led by the increases associated with the expansion of Medi-Cal under the Affordable Care Act, these programs’ aggregate caseload has grown by 12% in the current year, and by nearly 53% over the prior year. As of the end of September, the staff in the Participant Services Division is carrying an ongoing caseload of just under 40,000 cases.

In recognition of this growth, the allocations received from the State have risen by over \$1M from the amounts that were budgeted in the current year. Additionally, the Housing Support Program received an increase of over \$550K in recognition of the success that DSS has had in placing previously homeless families in permanent housing, where over 120 families have been placed in just the last year.

With these increased allocations, the Department proposes to add the following:

- 6.0 FTE Employment Resource Specialist I/II/III (public assistance caseloads)
- 1.0 FTE Employment Resource Specialist IV (Housing Support Program)

The Employment Resource Specialist I/II/III positions will be deployed throughout the six regional offices of the County, as caseload increases dictate, to accommodate the increased caseload in Participant Services. The Employment Resource Specialist IV position is needed to handle the increasing case management role the Department plays in the Housing Support Program, where cases formerly handled under contract with Community Action Partnership of San Luis Obispo County (CAPSLO) were transitioned to DSS.

Child Welfare Services Division

An existing 0.75 FTE Social Worker I/II/III/IV position is proposed to be eliminated and replaced by a 1.0 FTE Social Worker I/II/III/IV position, for a net increase of 0.25 FTE. The Child Welfare Services (CWS) aggregate caseload has increased 8.6% over the prior year, and the incumbent in the 0.75 FTE position typically is having to work additional hours beyond that allocation. The Department has sufficient funding to accommodate this minor increase in its staffing allocation.

Expenditure Appropriation Increases for Services and Support

In addition to these requested positions, DSS seeks to utilize additional funding allocations to increase the expenditure appropriation for services and support (to participants) accounts. The programs include IHSS Public Authority, Expanded Subsidized Employment (ESE), Housing Support Program (HSP) and CalWORKs Mental Health (MH)/Substance Abuse (SA) Treatment.

On October 27, 2015 your Board approved a resolution approving a Memorandum of Understanding (MOU) between the In-Home Supportive Services Public Authority Governing Board and the United Domestic Services Workers of America. This item approved a wage and benefit increase for IHSS providers, effective January 1, 2016. The result of this will be an increase in expenditures in Fund Center 180 of \$257,977, with a County share of \$95,292 for the period of January 1 through June 30, 2016. The estimated County share for FY 2016-17 is \$190,584 for the IHSS wage & benefit increase.

As mentioned above, the Department received an increase of over \$550K for the HSP program. This additional allocation will fund the requested ERS IV position, leaving a balance of \$509,892 to assist eligible families with housing needs. The ESE allocation was increased by \$275,534. These funds are intended to assist participants by providing subsidized employment. Lastly, the CalWORKs Mental Health/ Substance abuse allocation was increased by \$40,803, which will be used to provide these services to CalWORKs participants.

OTHER AGENCY INVOLVEMENT

We have worked with the County Administrative Office and Human Resources Department on this report.

FINANCIAL CONSIDERATIONS

Funds needed to support these positions come from a variety of sources. For all administrative expenditures related to the Public Authority and In Home Supportive Services, costs are shared solely by the Federal and State Government, as the County's costs are capitated by a Maintenance of Effort (MOE). Wage and benefit increases for providers that were negotiated with the United Domestic Services Workers do include a County Share.

The Participant Services programs have various sharing ratios, with the County contributing no costs to the administration of the CalWORKs, Medi-Cal and Housing Support Program, but sharing in the costs of CalFresh.

Child Welfare Services positions are supported by Federal, State and County resources. Note that both the Child Welfare Services positions are funded in part by funds deposited in the 2011 Realignment Trust, and funds in this pool may be moved among programs.

The estimated current year cost for all requested positions includes an assumed start date of February, 2016. The additional County Cost associated with these positions, at \$5,171, can be absorbed in the current DSS budget and will require no additional General Fund support. The annualized County cost of these position changes is estimated at \$9,746. The graph below details the funding ratios and share of costs per program.

Table A: Proposed PAL Changes and FY 2015-16 Costs

	SW I/II/III/IV 01519	AA III 02203	PCA 01560	PRS 01555	ERS I/II/III 01546	ERS IV 01547		Federal	State	County
<i>PA</i>										
FTE	1	1	3	1						
Cost	\$53,681	\$33,475	\$108,966	\$45,057				\$125,413	\$115,766	\$0
								52%	48%	0%
<i>Part Svcs</i>										
FTE					6					
Cost					\$201,214			\$96,583	\$102,619	\$2,012
								48%	51%	1%
<i>HSP</i>						1				
FTE						\$44,043				
Cost								\$34,354	\$9,689	\$0
								78%	22%	0%
<i>CWS</i>										
FTE	1									
Cost	\$53,681							\$21,472	\$24,694	\$7,515
								40%	46%	14%
<i>CWS</i>										
FTE	(0.75)									
Cost	(\$31,115)							(\$12,446)	(\$14,313)	(\$4,356)
								40%	46%	14%
<i>TOTAL</i>										
FTE	1.25	1	3	1	6	1				
Cost	\$76,247	\$33,475	\$108,966	\$45,057	\$201,214	\$44,043		\$265,376	\$238,455	\$5,171
								52%	47%	1%

The increase to the expenditure appropriation for services and support to participants' accounts will be fully funded with the exception of the County share of the IHSS wage & benefit increase. The graph below details the funding ratios and share of costs for each program. The estimated annualized County share for FY 2016-17 is \$190,584 for the IHSS wage & benefit increase.

Expenditure Appropriation Increases for Services and Support – FY 2015-16

Program/Allocation	Total Cost		Federal	State	County
IHSS Wage Increase	\$63,068				\$63,068
IHSS Benefit Increase	\$194,909			\$162,685	\$32,224
HSP	\$509,892		\$397,716	\$112,176	
ESE	\$275,534		\$245,225	\$30,309	
CALWORKs MH/SA	\$40,803			\$40,803	
Total	\$1,084,206		\$642,941	\$345,973	\$95,292

The grand total of this requested item and associated budget adjustment is \$1,593,208 (\$509,002 shown in Table A plus

\$1,084,206 for services and support). It adds Federal/State funding in the amount of \$1,497,916 and a County cost of \$95,292, (IHSS Wage & Benefit increase) previously approved by your Board on October 27, 2015. The Department is not requesting an increase in the County General Fund appropriation at this time, in hopes that savings in other areas will enable the Department to absorb the additional costs of the IHSS Wage & Benefit increase in the current year. The Department will address this matter in its Third Quarter report to the Board of Supervisors.

RESULTS

- The County will comply with new laws and regulations related to restrictions on overtime for private providers in the In Home Supportive Services (IHSS) program. 100% of providers will be monitored to ensure that they work no more than 66 hours in one week. Staff will follow the multi-stage process with all providers who violate the new rules; this process includes written notice, required training, suspension period, termination period, and appeal rights.
- There will be no gaps in care for persons receiving assistance under the IHSS program due to new overtime restrictions. Staff will increase recruitment and hiring of IHSS providers to meet the increased need. In between matching of appropriate providers to IHSS clients, Personal Care Aides will provide temporary care to all IHSS clients.
- Participant Services case applications will be processed within statutory deadlines and annual reassessments will be conducted timely and accurately.
- Homeless families applying for Housing Support Program will have their applications processed expeditiously and within 30 days. Approved families participating in the Housing Support Program will receive ongoing and effective case management, enabling them to remain housed, achieve family and financial stability, and become self-sufficient.

ATTACHMENTS

1. Resolution amending the Fund Center 180 Position Allocation List